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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

| | | |
|---------------------------|---|----------------------------|
| UNITED STATES OF AMERICA, |) | No. CR 07-00722 HRL |
| Plaintiff, |) | |
| v. |) | STIPULATION AND [PROPOSED] |
| |) | ORDER EXCLUDING TIME |
| WILLIAM LESTER JOHNSEN, |) | |
| Defendant. |) | SAN JOSE VENUE |

On March 13, 2008, the parties in the above-captioned case appeared before the Court for a status hearing. At that appearance, Assistant Federal Public Defender Manuel Araujo explained to the Court that he had provided some of the defendant's medical records to the government in order to assist in reaching a resolution to the case. The parties then requested that the Court continue the case for a status conference on April 17, 2008 in order for the parties to review the defendant's records. Assistant United States Attorney Susan Knight requested an exclusion of time under the Speedy Trial Act from March 13, 2008 to April 17, 2008. The defendant, through AFDPD Manuel Araujo, agreed to the exclusion. The undersigned parties agree and stipulate that

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1 an exclusion of time is appropriate based on the defendant's need for effective preparation of
2 counsel.

3 SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

5 DATED: 3/21/08

4
/s/
SUSAN KNIGHT
Assistant United States Attorney

7 DATED: 3/21/08

6
/s/
MANUEL ARAUJO
Assistant Federal Public Defender

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11 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded
12 under the Speedy Trial Act from March 13, 2008 to April 17, 2008. The Court finds, based on
13 the aforementioned reasons, that the ends of justice served by granting the requested continuance
14 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant
15 the requested continuance would deny defense counsel reasonable time necessary for effective
16 preparation, taking into account the exercise of due diligence, and would result in a miscarriage
17 of justice. The Court therefore concludes that this exclusion of time should be made under 18
18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

19 SO ORDERED.

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21 DATED: _____

22 NANDOR J. VADAS
United States Magistrate Judge